

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

DERRECK GRAY,)	
)	
Plaintiff,)	
)	
-vs-)	Case No. CIV-16-672-F
)	
STATE OF OKLAHOMA,)	
)	
Defendant.)	

ORDER


On August 11, 2016, United States Magistrate Judge Suzanne Mitchell issued a Report and Recommendation, recommending that plaintiff's 42 U.S.C. § 1983 action be dismissed without prejudice for failure to comply with court orders. Magistrate Judge Mitchell advised plaintiff of his right to file an objection to the Report and Recommendation by August 31, 2016 and specifically advised plaintiff that failure to make timely objection waives the right to appellate review of both factual and legal questions contained in the Report and Recommendation.

To date, plaintiff has neither objected to the Report and Recommendation nor filed a motion requesting an extension of time to file an objection. With no objection being filed within the time prescribed, the court accepts, adopts and affirms the Report and Recommendation in its entirety.

Accordingly, the Report and Recommendation issued by United States Magistrate Judge Suzanne Mitchell on August 11, 2016 (doc. no. 6) is **ACCEPTED**,

ADOPTED and AFFIRMED. Plaintiff's 42 U.S.C. § 1983 action is **DISMISSED WITHOUT PREJUDICE.**

DATED September 15, 2016.



STEPHEN P. FRIOT
UNITED STATES DISTRICT JUDGE

16-0672p001.wpd